

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Building, 212 Brookside Avenue, on October 19, 1965. Planning Commission Items 3:00 P.M. Regular meeting 7:00 P.M.

PRESENT

Waldo F. Burroughs, Mayor
William T. Hartzell, Vice-Mayor
Norman N. Martinez, Councilman
Robert J. Wagner, Councilman
Jack B. Cummings, Councilman

Ralph P. Merritt, Jr., City Manager
Edward F. Taylor, City Attorney
Peggy A. Moseley, City Clerk
Ron Kibby, Redlands Daily Facts
Chuck Palmer, San Bernardino Sun

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Henry W. Keane of the Sacred Heart Catholic Church.

The minutes of the regular meeting of October 5, 1965, were approved as submitted.

BIDS

Bids had been opened at 10:00 A.M., this date, in the office of the City Clerk, on a street sweeper for the Department of Public Works as follows:

Street Sweeper	Conveyor Company	\$ 11,278.15
	Los Angeles, California	Alternate - 10,529.35
	Dearth Machinery	\$ 10,984.96
	Azusa, California	Alternate - 12,041.40

At this time it is the recommendation of the Department of Public Works that the bid of the Conveyor Company in the amount of \$11,278.15, meeting the Department's specifications, be accepted. Representatives of both companies described their equipment to the Council. On motion of Councilman Hartzell, seconded by Councilman Cummings, the above recommendation was adopted by the City Council. This being the date advertised for the opening of bids on Gas Tax Project No. 121, Improvement of Cajon Street and Garden Street, the following proposals were opened and publicly declared in the office of the City Clerk at 10:00 A.M. this date, and referred to the Department of Public Works for study and recommendation.

Gas Tax
Project #121
Improvement
Garden-Cajon
Streets

BWB Constructors, Inc.	\$ 32,651.45
San Bernardino, California	
California Asphalt Company	40,485.00
Colton, California	
Fontana Paving	30,459.95
Fontana, California	
A. S. Hubbs	32,174.60
Colton, California	
H. Kevari	34,814.64
Redlands, California	
Mathews Company	39,471.50
Redlands, California	
Triangle Construction	28,008.90
San Bernardino, California	

It is the recommendation of the Department of Public Works that the low qualified bid of Triangle Construction in the amount of \$28,008.90 be accepted. On motion of Councilman Wagner, seconded by Councilman Martinez, the recommendation was approved.

PLANNING COMMISSION RECOMMENDATIONS

As considered by the City Council at a regular meeting thereof held October 19, 1965 at 3:00 P.M.

Present: All Council Members, Attorney Carl Davis

1. Conditional Use Permit No. 103 - E. J. Zeiner - Continuation

Consideration of C.U.P. No. 103 was tabled to this date from the Council meeting of October 5, 1965, in order to allow time for a report from the County Flood Control District.

At this time, Director of Public Works Shone described on an aerial map of the city, the proposed alignment for the permanent drainage channel for the Zanja. This will run on an easement - sometimes 50 feet and sometimes 60 feet - just north of the railroad. This location is recommended as being the most economical place for a permanent cement drainage channel. On this map, Mr. Shone also outlined a recommended easement for a temporary earthen ditch running through the property which lies between the Zanja and the railroad track from Judson Street to Lincoln Street. This was described as being protection in the event of future sheet overflow as has occurred in the past.

Mr. W. A. Sidler of the County Flood Control District discussed the easement requirements in the construction and maintenance of a permanent channel, and what could be expected in the way of protection from such a channel. He stated that the Zanja is inadequate and can be expected to overflow in a heavy storm; also that as building goes on upstream, pressure will be increased and some ditch work might be necessitated, and he added that the temporary easement outlined in Mr. Shone's presentation

PLANNING COMMISSION RECOMMENDATIONS (Continued)

would allow for such overflow or ditch work. Mr. Sidler also stated that the establishment of a permanent drainage channel it would be possible, if desired, to continue to have some flow of water through the Zanja. *after

Mr. Horace P. Hinckley, representing the Zone 3 Advisory Board, stated that the committee members are in accord with Mr. Sidler's recommendations, and added that the expected time of completion of the permanent channel would be between three and ten years.

Sterling Cox

Attorney Rex Cranmer, Mr. Zeiner, Mr. ~~Jack Cox~~ and Mr. James Hicks addressed the Council concerning the desirability of cleaning out the Zanja. Mr. Zeiner stated that he had licenses to permit his cleaning those sections of the Zanja which he or Mr. Cox did not own, and that he intended to do this.

Attorney Davis pointed out the City's liability in making inadequate solutions to problems on private property, and stated that a municipality assumes duty much higher than any individual would assume in a similar situation.

Attorney Davis also pointed out to Mr. Zeiner the possibility of Mr. Zeiner's incurring liability by this development from nearby property owners or from his own tenants, and he concurred and assumed the responsibility therefor.

Following Council discussion, Councilman Wagner made the following motion: "Move to approve C.U.P. No. 103 subject to the following Engineering Department requirements:

1. Judson Street:
 - a. Dedicate right-of-way to provide for 88-foot street.
 - b. Install curb and gutter 32 feet from centerline.
 - c. Install standard roadway between new curb and street centerline.
 - d. Contribute \$1,000 toward the cost of construction of a new bridge on Judson Street across the Zanja.
2. Install standard sidewalk in Judson Street.
3. Install ornamental street lights and street signs as required.
4. Install sanitary sewerage system to serve all lots.
5. Drainage:
 - a. Deed to San Bernardino County Flood Control District a 60-foot right-of-way along the south property line for the purpose of constructing a permanent drainage channel.
 - b. Construct a reinforced concrete block wall along the east property line.
 - c. Dedicate to the San Bernardino County Flood Control District a 50-foot right-of-way along the south side of the presently developed portion of the trailer park and apartment development west of Judson for the purpose of constructing a permanent drainage channel.
 - d. Agree to sell to the Flood Control District, at fair market value, the apartment houses and other improvements that must be removed to provide for a permanent channel north of the railroad right-of-way. The value of these facilities to be determined by three appraisers, one to be selected by Mr. E. J. Zeiner, owner of the development, and one by the County Flood Control District, and the third to be selected by the other two appraisers.
6. Agree to provide the City of Redlands and County Flood Control District with a Hold Harmless clause for flood damage to the trailer park.
7. All improvements to be designed by owner's civil engineer and installed to the specifications of the City Engineer.

And subject to the requirements of all departments as outlined in Planning Commission minutes dated September 28, 1965, with the deletion of Planning Department Recommendation No. 3, and with final approval being subject to the signed agreements to sell which are referred to in Engineering Department Recommendations No. 5c and 5d being in the hands of the County Flood Control District."

Motion seconded by Councilman Cummings.

PLANNING COMMISSION RECOMMENDATIONS (Continued)

In the discussion which followed the motion, Public Works Director Shone requested that, if approved, minute note be made that the approval was given over the objection of the City Engineer.

The motion carried by the following vote:

AYES: Councilmen Martinez, Wagner, Cummings
 NOES: Councilman Hartzell, Mayor Burroughs
 ABSENT: None

In voting "No" Mr. Hartzell made the following statement:

1. Trailer Parks are not a permitted land use. Original Ordinance No. 1124 adopted June 16, 1959, permitting this use was repealed by Ordinance No. 1150, adopted September 20, 1960, and has not been reinstated since.
2. Cannot be considered as an expansion of an existing use because the land now proposed for this use is not a part of the parcel on which the present trailer park exists, and is not a part of an integrated plan to expand.
3. Present trailer park is now a non-conforming use, and approval of application will amount to an expansion and perpetuation of such non-conforming use, in violation of existing ordinance.
4. Cannot be considered as a variance - Section 50.10, Ordinance No. 1000, page 16.

Should the members of the Council approve the application, then:

1. You are by implication adopting the study ordinance, Amendment No. 61 to Ordinance No. 1000, in spite of the fact that neither the Planning Commission nor the Council could reach agreement on its provisions.
2. You are in effect executing an ordinance without public review or hearing.
3. You are legislating for and in behalf of special interests exclusively, in the absence of any general public need or desirability for public health, safety and welfare which is contrary to the accepted principles of democratic government.

Councilman Cummings stated that the application was presented to Council under Ordinance No. 1202, prior to the removal of that ordinance from the Code. The Council has held up the application and for this reason it seems unjust to disqualify it at this time. Ordinance No. 1202 is applicable if the property is considered a problem parcel, and with all the discussion that has occurred, I cannot see how the subject property can be called anything else. This permit can also be justified as being related to uses already existing in the area.

Councilman Wagner stated that we have a parcel that is difficult to deal with, trapped between drainage channel, railroad and streets. This parcel deserves a chance to develop when this can be done, and a Mobile Home Park is the highest and best use of this land.

2. Tentative Map - Tract 6953 - Herb Tobin

Council consideration of Tract No. 6953 originally scheduled for this time, was tabled at the request of Mr. Tobin.

ADVISORY COMMITTEE RECOMMENDATIONS - Ordinance No. 1193 - as considered by the City Council at a regular meeting thereof on October 5, 1965.

1. That the request of Maurice Clapp for permission to sign the Improvement Ordinance Agreement in lieu of installation of curb and gutter as per Ordinance No. 1193 for property known as 1709 Rossmont Drive be denied for the reason that this street has been improved to this standard and it would be uneconomical to change the cross-section, hence the curb and gutter should be installed in the same line as the existing rock curb. On motion of Councilman Wagner, seconded by Councilman Martinez, this recommendation of the Advisory Committee was adopted by the City Council.
2. That the request of Lewis McKee for permission to sign the Improvement Ordinance Agreement in lieu of installation of curb and gutter as required in Tract No. 4598 for property located on the south side of Elizabeth Street between Dwight and Halsey Streets be denied for the reason that the cross-section of Elizabeth, formerly questionable, has now been established. On motion of Councilman Wagner, seconded by Councilman Hartzell, this request was tabled for further study by the Advisory Committee.

PARK COMMISSION

Appointment
Park
Commission

Councilman Cummings presented a request from the Park Commission that a certificate of appreciation in honor of his many years of devoted service to the City be sent to Mrs. Elsie Milbank, widow of Dr. Sidney Milbank. (Request withdrawn per J. Cummings and C. Dawson)

To fill the unexpired term to June 30, 1967, of Dr. Milbank, it is the recommendation of the Park Commission that Mr. Jack W. Wiley, 815 West Cypress Avenue, be appointed. On motion of Councilman Wagner, seconded by Councilman Cummings, this recommendation was approved by the City Council.

TRAFFIC COMMISSION

Appointment
Traffic
Commission

Councilman Martinez presented the request from the Traffic Commission that an additional member be appointed to this Commission. It is the recommendation that Mr. L. D. Macartney, 325 East Palm Street, be appointed to this Commission. On motion of Councilman Martinez, seconded by Councilman Wagner, unanimous approval was given to this recommendation.

COMMUNICATIONS

Mayor Burroughs read a letter from Reverend Loyal Vickers of the Council of Churches of San Bernardino and Riverside Counties, thanking the Council for the use of the Redlands Bowl for summer evening services. He also expressed appreciation of the courtesy extended by the Park Department and the City staff.

Mayor Burroughs presented a letter from Mayor Edwin Wade of Long Beach concerning "Molotov Cocktail." This letter will be referred to Police Chief Stanley Bowen for study as to measures to control such home-made grenades.

A letter from San Bernardino Chamber of Commerce inviting the Council to a meeting of November 10, 1965, concerning taxes, cost of government and government services.

CITY MANAGER

Resolution
No. 2485
Salary
Increase

City Manager Merritt presented Resolution No. 2485, a resolution of the City of Redlands, which effects a one-range overall salary increase for City employees. This recommendation is the result of an area-wide salary survey recently completed by the Personnel Department. Following Council discussion, on motion of Councilman Wagner, seconded by Councilman Cummings, Resolution No. 2485 was unanimously adopted.

Stone and
Youngberg
Contract

City Manager Merritt recommended the updating of the City's Long Range Capital Improvement Plan by contracting with the firm of Stone and Youngberg, who made the original report, to make this study. This would require an additional budget appropriation in the amount of \$1,500. Following discussion, Councilman Wagner moved "that the request for additional appropriation in the amount of \$1,500 for updating of Stone and Youngberg's general financing report be approved, to be financed from General Fund Budget Surplus." Motion seconded by Councilman Hartzell and unanimously adopted.

City Manager Merritt reported that City participation in the "Dependency Personnel" program would be delayed until summer of 1966, at which time the City would be in a position to utilize and supervise this type of employee.

Transfer City
Land to
Flood Control

Five documents were presented to complete the transfer of city-owned land, which has been under lease to the Lockheed Company to the San Bernardino County Flood Control. On motion of Councilman Wagner, seconded by Councilman Martinez, the Mayor and City Clerk were authorized to execute these documents in behalf of the City of Redlands.

A letter of appreciation to Mr. W. A. Sidler of the County Control District will be sent over the Mayor's signature in appreciation of Mr. Sidler's work on behalf of the City.

Mayor Burroughs commended Mr. John Wagner on his very efficient handling of the witnesses who appeared before the recent P.U.C. hearings on behalf of the C-Air application.

Bills and salaries were ordered paid as approved by the Finance Committee.

No further business demanding attention at this time, on motion, the Council adjourned at 8:30 P.M.

Next regular meeting November 2, 1965.

ATTEST:

Peggy A. Mowley
City Clerk

Walter Burroughs
Mayor of the City of Redlands

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